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MARIO GONZALEZ  
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7 IN THE UNITED STATES DISTRICT COURT  
8 EASTERN DISTRICT OF CALIFORNIA

9 UNITED STATES OF AMERICA,

CASE NO. 2:20-CR-00013 WBS

10 Plaintiff,

STIPULATION AND ORDER TO CONTINUE  
JUDGMENT AND SENTENCING HEARING AND  
MODIFY PRESENTENCE SCHEDULE

11 v.

12 MARIO GONZALEZ,

DATE: April 28, 2025

13 Defendant.

TIME: 9:00 a.m.

COURT: Hon. William B. Shubb

15 **STIPULATION**

16 Defendant, Mario Gonzalez, by and through his counsel of record, and plaintiff, by and through  
17 it's counsel of record, hereby stipulate as follows:

18 1. By previous order, this matter was set for judgment and sentencing on April 28, 2025.

19 Mr. Gonzalez filed a motion to dismiss pursuant to *United States v. Duarte*, 101 F.4<sup>th</sup> 657 )9<sup>th</sup> Cir.  
20 2024), setting the motion for hearing on the same date that was previously set for the judgement and  
21 sentencing. The United States moved to hold the motion to dismiss in abeyance for a period of 60 days  
22 or until the Ninth Circuit reached a decision on the government's petition for rehearing en blanc in  
23 *Duarte*. The United States Court of Appeals scheduled oral argument for December 11, 2024. While  
24 the *Duarte* opinion has presently been vacated pending the rehearing en blanc, Mr. Gonzalez wishes to  
25 continue the motion hearing pending the outcome of the en blanc proceedings. The United States does  
26 not object to this requested continuance to June 2, 2025, but wishes to proceed to sentencing on that date  
27 regardless of the en blanc proceedings.  
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3       2. Additional time is now necessary before the parties are prepared to proceed to sentencing.  
4 Mr. Gonzalez will be filing a sentencing memorandum and exhibits. By this stipulation, the parties now  
5 move to continue the judgment and sentencing hearing until June 2, 2025.

6       3. The parties understand that this date is available to the Court for a continued judgment  
7 and sentencing hearing.

8       4. It is therefore requested that the motions hearing, and judgement and sentencing date  
9 currently scheduled for April; 28, 2025 be continued to **June 2, 2025 at 10:00 a.m.**, before this Court.

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11       IT IS SO STIPULATED.

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13 Dated: April 22, 2025

MICHELE BECKWITH  
Acting United States Attorney

14  
15 /s/ *EMILY SAUVAGEAU*  
16 \_\_\_\_\_  
17 EMILY SAUVAGEAU  
Assistant United States Attorney

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19 Dated: April 22, 2025

20 /s/ *TAMARA SOLOMAN*  
21 \_\_\_\_\_  
22 TAMARA SOLOMAN  
Counsel for Defendant  
MARIO GONZALEZ

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2                   **ORDER**  
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4                   IT IS SO FOUND AND ORDERED.  
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6                   Dated: April 23, 2025  
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9                   WILLIAM B. SHUBB  
10                  UNITED STATES DISTRICT JUDGE  
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